

# EXHIBIT D

11/13/2024

Richard Kadrey, et al. v. Meta Platforms, Inc.  
Highly Confidential

Michael Patrick Clark

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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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|                               |   |                  |
|-------------------------------|---|------------------|
| RICHARD KADREY, et al.,       | ) |                  |
|                               | ) |                  |
| Individual and Representative | ) | Lead Case No.    |
| Plaintiffs,                   | ) |                  |
|                               | ) | 3:23-cv-03417-VC |
| v.                            | ) |                  |
|                               | ) |                  |
| Meta Platforms, Inc.,         | ) |                  |
|                               | ) |                  |
| Defendant.                    | ) |                  |
|                               | ) |                  |

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\*\* H I G H L Y C O N F I D E N T I A L \*\*

30(b)(1) VIDEOTAPED DEPOSITION OF  
MICHAEL PATRICK CLARK

Denver, Colorado

Wednesday, November 13, 2024

Reported stenographically by:  
Michelle Kirkpatrick, RDR-CRR-CRC-CRI, FCRR

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1 allowed. Whereas, in the prior example, there isn't  
2 a PXFN section in the prior table. Or prior photo.

3 MR. STEIN: Court reporter, could you  
4 please read the question as posed to Mr. Clark.

5 THE STENOGRAPHER: Yes. One moment,  
6 please.

7 (Requested portion of the record read back  
8 by the stenographer:)

9 "Q And when it refers to a dataset, is  
10 that a dataset that's used for training,  
11 whether pre-training or post-training, or in  
12 some other fashion for Llama?"

13 A AIDC is where you register a dataset that  
14 you want to be able to use for AI training. One of  
15 those examples could be using that for Llama model.

16 BY MR. STEIN:

17 Q And is this the current form for getting  
18 approval to use a dataset for training Llama?

19 A It is -- I do not know if the exact form  
20 matches what is in production.

21 AIDC is the tool by which you enter  
22 details about a dataset if you want to be able to

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1 get approval so that you can use and evaluate if  
2 that one will make sense from a training perspective  
3 and to be able to use it in training.

4 Q And who reviews the submissions to that  
5 tool?

6 A There is, in the privacy review  
7 organization -- Brooks Cutter is an individual that  
8 reviews -- reviews these datasets that come in  
9 through AIDC.

10 Q And is that an attorney?

11 A No. Brooks is a privacy reviewer.

12 Q And can you point me to somewhere in that  
13 form that -- where you would be able to highlight  
14 that a dataset contains copyrighted material?

15 A The only examples that I see in here,  
16 because the nature of this document is datasets that  
17 require PXFN review, are -- are datasets that are  
18 first-party user data, which is reflected in the  
19 design examples on the last two pages of the  
20 document.

21 And so I -- I do not see any more than  
22 that in here.

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1 STENOGRAPHIC REPORTER'S CERTIFICATE

2 I, Michelle Kirkpatrick, a Registered  
3 Diplomate Reporter, Federal Certified Realtime  
4 Reporter, do hereby certify that previous to the  
5 commencement of the examination, the deponent was duly  
6 sworn by me to testify to the truth.

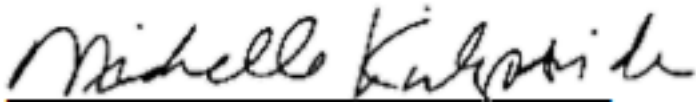
7 I further certify that this deposition  
8 was taken in shorthand by me at the time and place  
9 herein set forth and was thereafter reduced to  
10 typewritten form, and the foregoing constitutes a true  
11 and correct transcript.

12 I further certify that I am not related  
13 to, employed by, nor of counsel for any of the parties  
14 or attorneys herein nor otherwise interested in the  
15 outcome of this action.

16 IN WITNESS WHEREOF, I have hereunto set  
17 my hand this 18th day of November, 2024.

18

19



MICHELLE KIRKPATRICK

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RDR-CRR-CRC-CRI, FCRR

21

Registered Diplomate Reporter

22

Federal Certified Realtime Reporter